

1 J. Andrew Coombs (SBN 123881)  
Annie S. Wang (SBN 243027)  
2 J. Andrew Coombs, A P. C.  
517 E. Wilson Ave., Suite 202  
3 Glendale, California 91206  
Telephone: (818) 500-3200  
4 Facsimile: (818) 500-3201

5 andy@coombspc.com  
annie@coombspc.com

6  
7 Attorneys for Plaintiff  
Adobe Systems Incorporated

8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

11	Adobe Systems Incorporated,	)	Case No. C08-0933 MMC
12		)	
13	Plaintiff,	)	
13	v.	)	<b>REQUEST FOR ENTRY OF DEFAULT;</b>
14	Beverly Johnson and Does 1 – 10, inclusive,	)	<b>DECLARATION OF J. ANDREW</b>
15		)	<b>COOMBS IN SUPPORT</b>
15	Defendants.	)	

16  
17 Plaintiff Adobe Systems Incorporated, (“Plaintiff”) hereby requests that the Clerk of the  
18 above-entitled Court enter the default in this matter against Defendant Beverly Johnson  
19 (“Defendant”) on the grounds that the Defendant has failed to respond to the Complaint in this action  
20 within the time proscribed by the Federal Rules of Civil Procedure.

21 Plaintiff served the Summons and Complaint on Defendant on or about February 24, 2008.

22 Proof of service was previously filed with the Court on or about March 11, 2008.

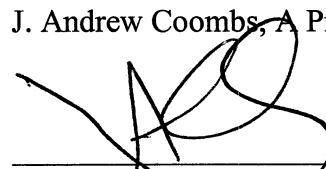
23 ///

24  
25 ///

1           The above stated facts are set forth in the accompanying declaration of J. Andrew Coombs  
2 filed herewith.  
3

4  
5 DATED: April 11, 2008

J. Andrew Coombs, A Professional Corp.

6  
7  
8 By:  J. Andrew Coombs

Annie S. Wang

Attorneys for Plaintiff Adobe Systems Incorporated  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF J. ANDREW COOMBS**

I, J. ANDREW COOMBS, declare as follows:

1. I am an attorney at law, duly admitted to practice before the Courts of the State of California and the United States District Court for the Northern District of California. I am an attorney for Plaintiff Adobe Systems Incorporated, ("Plaintiff") in an action styled Adobe Systems Incorporated v. Beverly Johnson, et al. I make this Declaration in support of Plaintiff's request that the Court Clerk enter default in this matter against Defendant Beverly Johnson. Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows:

2. I am informed and believe the Defendant was served with Summons and Complaint on or about February 24, 2008.

3. I am informed and believe that the Defendant informed the process server that she was not a member of the United States military during the personal service of the Summons and Complaint, which occurred on or about February 24, 2008. A true and correct copy of the process server's invoice referencing the above is attached hereto as Exhibit A. Based upon this information, I am informed and believe Defendant is not currently serving in the military.

4. On or about March 11, 2008, Plaintiff filed the proof of service on Defendant with the Court.

5. To my knowledge, Defendant has never contacted Plaintiff's counsel.

6. On or about March 18, 2008, my office sent to Defendant a letter regarding the filing of this Request for Entry of Default. A true and correct copy of the letter is attached hereto as Exhibit B.

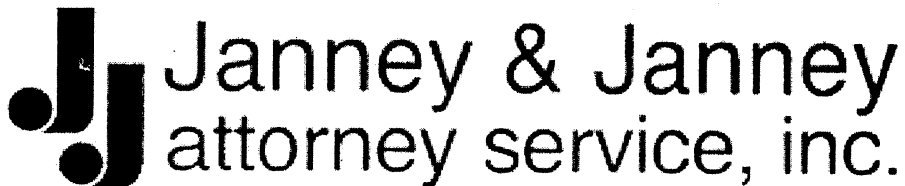
7. I am unaware of any response to the Complaint in this action within the time proscribed by the Federal Rules of Civil Procedure, and have confirmed this on PACER on April 11, 2008. I am informed and believe that there has been no response to the Complaint from Defendant.

I declare under penalty of perjury that the foregoing is true and correct under the laws of the United States of America.

Executed this 11<sup>th</sup> day of April, 2008, at Glendale, California.

  
\_\_\_\_\_  
J. ANDREW COOMBS

A



**(213) 628-6338**  
1545 Wilshire Blvd., 311  
Los Angeles, CA 90017  
www.janneyandjanney.com  
IRS 95-3267524

INVOICE DATE: 02/28/2008

INVOICE NUMBER: 1278697-3

Client No. 10713

Client J. ANDREW COOMBS

Address 517 E. WILSON ST. #202  
GLENDALE, CA 91206

Phone: (818) 500-3200 Fax: (818) 500-3201

Client File No.:

Contact: JEREMY

Route#: LA-5  
Server#: 777

Case No.: C0800933JL

Court: USDC - NORTHERN DISTRICT

Plaintiff: ADOBE SYSTEMS

Defendant: BEVERLY JOHNSON, ET AL.

Servee: BEVERLY JOHNSON

Documents:

(SEE ATTACHED)

DESCRIPTION	SERVICES	CHARGES
<p>Served: BEVERLY JOHNSON at 7147 S. WOODLAWN #1-N, CHICAGO, IL 60619. On 02/24/2008 04:30 pm</p> <p>SUBJECT IS NOT IN THE MILITARY...</p>	<p>Rush Service</p> <p>EXHIBIT <u>A</u> PAGE <u>1</u></p>	<p>165.00</p>
INVOICE TOTAL		\$ 165.00



B

LAW OFFICES  
**J. ANDREW COOMBS**  
A PROFESSIONAL CORPORATION  
517 EAST WILSON AVENUE, SUITE 202  
GLENDALE, CALIFORNIA 91206-5902  
TELEPHONE (818) 500-3200  
FACSIMILE (818) 500-3201

March 18, 2008

**Via First Class Mail**

Beverly Johnson  
7147 S. Woodlawn, Apt. 1-N  
Chicago, Illinois 60619

**Re: Adobe Systems Incorporated v. Beverly Johnson, et al.**  
**U.S. District Court Case No.: C08-0933 MMC**

Dear Ms. Johnson:

Our records indicate that you were served on or about February 24, 2008, and were required to file an Answer to the Complaint on or before March 17, 2008.

As there have been no extensions of time to respond, you are currently in technical default. Accordingly, we will request an entry of default against you on March 25, 2008, should we not receive an Answer to the Complaint or you not contact us by close of business March 24, 2008.

This letter is not a complete statement of Adobe Systems Incorporated's rights in connection with this matter, and nothing contained herein constitutes an express or implied waiver of any rights, remedies or defenses in connection with this matter, all of which are expressly reserved.

Very truly yours,  
J. Andrew Coombs, A.P.C.



By: J. Andrew Coombs  
Counsel for Adobe Systems Incorporated

JAC:jjc

EXHIBIT B PAGE 2

**PROOF OF SERVICE**

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 E. Wilson Ave., Suite 202, Glendale, California 91206.

On April 11, 2008, I served on the interested parties in this action with the following:

- **REQUEST FOR ENTRY OF DEFAULT; DECLARATION OF J. ANDREW COOMBS IN SUPPORT**

for the following civil action:

Adobe Systems Incorporated v. Beverly Johnson, et al.

by placing a true copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Beverly Johnson 7147 S. Woodlawn, Apt. 1-N Chicago, IL 60619	
--	--

Place of Mailing: Glendale, California  
Executed on April 11, 2008, at Glendale, California

  
\_\_\_\_\_  
Jeremy Cordero